

STATE OF SOUTH CAROLINA

(Caption of Case)

Joint Application of Broadview Networks, Inc. and
ATX Licensing, Inc. for Authority to Transfer
Customer Base

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 262 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

SC Bar Number: 11208

Telephone: 803-343-1270

Fax: 803-799-8479

Other: _____

Address: Ellis, Lawhorne & Sims, PA

PO Box 2285

Columbia SC 29202

Email: jpringle@ellislawhorne.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☒ Request for item to be placed on Commission's Agenda
expeditiously

☐ Other: _____

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

ELLIS:LAWHORNE

Carol Roof
Direct dial: 803/779-0066
croof@ellislawhorne.com

July 28, 2008

FILED ELECTRONICALLY AND ORIGINAL VIA 1ST CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
SC Public Service Commission
P.O. Drawer 11649
Columbia, SC 29211

RE: Joint Application of Broadview Networks, Inc. and ATX Licensing, Inc.
for Authority to Transfer Customer Base
Docket No. 2008-262-C, Our File No. 582-11597

Dear Mr. Terreni:

Enclosed for filing are the original copies of the Affidavits of Publication received from The State-Record Co, Inc. and The Greenville News in the above-referenced docket.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

ELLIS, LAWHORNE & SIMS, P.A.


Carol Roof
Paralegal

cc: Mr. Charles C. Hunter
Catherine M. Hannon, Esq.
Enclosures (originals)

NOTICE OF

FILING

DOCKET NO.
2008-262-C

Broadview Networks, Inc. ("Broadview") and ATX Licensing, Inc. ("ATX") (together the "Applicants") have filed with the Public Service Commission of South Carolina ("Commission") an Application for authority to transfer a substantial portion of the customers of ATX to Broadview. The Application was filed pursuant to S.C. Code Ann. §58-9-300 and §58-9-310. ATX will retain its authorization to provide telecommunications services in South Carolina in order to provide service to those customers not migrated to Broadview. The Application reveals that following the migration, the former ATX customers will be provided with the same services, at the same rates and on the same terms and conditions that they received prior to the transfer. Further, customers will be provided advance written notice of the migration and afforded an opportunity to opt out of the transfer. According to the Application, no customer will experience disruption of service as a result of the customer base consolidation. The only noticeable change to customers will be the name of the carrier on their monthly bill.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, the Commission's website at www.psc.sc.gov, and is available from John J. Pringle, Jr., Esquire, Ellis, Lawhorne & Sims, P.A., Post Office Box 2285, Columbia, South Carolina 29202.

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before August 11, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2008-262-C.

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at 1441 Main Street, Suite 300, Columbia, South Carolina 29201; and John J. Pringle, Jr., Esquire, at the above address, on or before August 11, 2008, and indicate the amount of time required for his presentation. Please refer to Docket No. 2008-262-C.

THE STATE-RECORD CO., INC.

Columbia, South Carolina

publisher of

The State

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JUL 24 2008

Ellis, Lawhorne
& Sims, PA

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Office of Filing Docket No. 2008-262-C Broadview Networks, Inc. and ATX Licensing, Inc. for authority to transfer customers

is inserted in THE STATE, a daily newspaper of general circulation published in the City of Columbia, State and County aforesaid, in the issues of

July 16, 2008

Subscribed and sworn to before me

this day July 21, 2008

Karen L Book

Notary Public

commission expires
September 25, 2016

"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."

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Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before August 11, 2008. Please refer to Docket No. 2008-262-C.

PLEASE TAKE NOTICE:

Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211
JUL-11-08 8650

The Greenville News

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greenvilleonline.com

JUL 24 2008

Classified Advertising

Ellis, Lawhorne
& Sims, PA

Date: 7/17/2008

Name: / PUBLIC SERVICE COMMISSION OF S
GOV EXECUTIVE CENTER DR COLUMBIA SC 29210

110706

Ad No: 4322489

Class: 0008 Legal Notices (News)

Rate: Legal Rates

Runs:

Wednesday, July 16, 2008

Lines: 144

Ellis Law

AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 144 lines as set forth above, in The Greenville News beginning on 7/16/2008 and ending on 7/16/2008

Susan F. Mullinax

Susan F. Mullinax
Legal Advertising Agent

Vanessa M. McElveen

Vanessa M. McElveen
Notary Public for the State of South Carolina
My Commission Expires December 1, 2008

Post Office Box 1688 * Greenville, SC 29602
Phone: 864.298.4100



305 South Main Street * Greenville, SC 29601
Toll Free: 1.800.800.5116

Ad Text:

</684>4322489<QL>
PUBLIC SERVICE<QC>

COMMISSION OF<QC>

SOUTH CAROLINA<QC>
DOCKETING DEPART'
MENT<QC>

</676>NOTICE OF FILING<QC>
</684>DOCKET NO. 2008-262-C<QL>

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Public Service Commission
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Docketing DepartmentPost
Office Drawer
11649Columbia, South Caro-
lina 29211<ql>
JUL-11-08<ql>

THANK YOU FOR YOUR ADVERTISEMENT!
If I can be of further assistance, please call : Frank
4370